IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 19360 of 2004(D)

PETITIONER:

ELITE DISTILLERIES & BEVERAGES CO.,
T.C.35/1753, ROUND NORTH, THRISSUR-680 001,
REPRESENTED BY ITS PORPRIETOR, T.R. VIJAYAKUMAR.

BY ADV. SRI.V.GIRI

RESPONDENTS:
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1. THE COMMISSIONER OF EXCISE,
COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.

2. THE EXCISE INSPECTOR,
ELITE DISTILLERIES & BEVERAGES CO., KIRALOOR,
MUNDUR P.O., THRISSUR.

3. KERALA STATE BEVERAGES CORPORATION,
THIRUVANANTHAPURAM REPRSENTED BY ITS
MANAGING DIRECTOR.

BY ADV. SRI.K.P.DANDAPANI --- R3
GOVERNMENT PLEADER SRI. MANOJKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 19360/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REQUEST MADE BEFORE THE R1 BY THE PETITIONER.

EXT.P2. COPY OF THE DEMAND NOTICE DT. 27/5/2004 TO THE PETITIONER BY THE R2.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.19360 of 2004

Dated 4th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of certiorari or any other appropriate writ order or direction quashing Ext.P2.
>
> (ii) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the first respondent to consider and take decision on Ext.P1 as expeditiously as possible, at any rate, within a time frame to be fixed by this Hon'ble Court."

There will be a direction to the first respondent to consider Ext.P1 and pass appropriate orders, if not already passed, with notice to the petitioner and the third respondent, within a period of four months from the date of receipt of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.